

**Raleigh Board of Adjustment
Decisions
July 13, 2015**

A-46-15 – 7/13/15

Decision: Approved.

WHEREAS, Patrick and Allison Smith, property owners, request a 2' side yard setback variance from the regulations set forth in Section 2.2.1 of the Unified Development Ordinance to allow for the construction of a two story detached garage/storage building resulting in a 3' side yard setback on a .18 acre property zoned Residential-10 and Neighborhood Conservation Overlay District located at 1805 Wills Avenue.

A-39-15 – 7/13/15

Decision: Approved.

WHEREAS, the City of Raleigh Housing and Neighborhoods Department, property owners, request a 15' corner side yard setback variance from the standards set forth in Section 10-2075 of the Part 10 Zoning Code to allow for the construction of a detached house resulting in a 5' corner side yard setback on a .07 acre property zoned Residential-20 located at 602 E. Cabarrus Street.

A-40-15 – 7/13/15

Decision: Approved.

WHEREAS, the City of Raleigh Housing and Neighborhoods Department, property owners, request relief from the off-street parking requirements set forth in Section 10-2081 of the Part 10 Zoning Code to allow for the construction of a detached house with no off-street parking on a .12 acre property zoned Residential Business, Downtown Overlay District and Historic Overlay District located at 420 S. Bloodworth Street.

A-41-15 – 7/13/15

Decision: Approved

WHEREAS, the City of Raleigh Housing and Neighborhoods Department, property owners, request a 15' front yard setback variance and a 10' rear yard setback variance from the

standards set forth in Section 10-2075 of the Part 10 Zoning Code resulting in a 5' front yard setback variance and a 10' rear yard setback variance to allow for the construction of a detached house resulting in a 5' front yard setback and a 10' rear yard setback on a .09 acre property zoned Residential-20 located at 309 Freeman Street.

A-44-15 – 7/13/15

Decision: Approved.

WHEREAS, the City of Raleigh Housing and Neighborhoods Department, property owners, request a 15' front yard setback variance and a 15 corner side yard setback variance from the standards set forth in Section 10-2075 of the Part 10 Zoning Code resulting in a 5' front yard setback and a 5' corner side setback to allow for the construction of a detached house on property zoned Residential-20 located at 0 S. Swain Street.

A-49-15 – 7/13/15

Decision: Approved.

WHEREAS, Robert and Laura Cole, property owners, request a 5.9' front yard setback variance from the regulations set forth in Section 5.4.3.8. to legalize the existing detached house and a 12' rear yard setback variance from the regulations set forth in Section 2.2.1 of the Unified Development Ordinance to allow for an expansion to the rear resulting in a 29.1' front yard setback and an 8' rear yard setback on a .2 acre property zoned Residential-6 and Neighborhood Conservation Overlay District and located at 1330 Mordecai Drive.

A-50-15 – 7/13/15

Decision: Approved.

WHEREAS, Ellen Nulty and Mark Mosley, property owners, request a .5' side yard setback variance from the regulations set forth in Section 2.2.1 of the Unified Development Ordinance to legalize a preexisting carport/garage such that it may be enclosed resulting in a 9.5' side yard setback on a .32 acre property zoned Residential-4 and located at 3605 Swann Street.

A-51-15 – 7/13/15

Decision: Approved.

WHEREAS, H'Bem R'com, property owner, requests a 2.4" side yard setback variance for each side for relief from the regulations set forth in Section 2.2.1 of the Unified Development

Ordinance to allow for the legalization of an existing detached house resulting in a 9.8' side yard setback on both sides of the property so that a conforming expansion to the rear may exceed 25% of the existing structure on a .43 acre property zoned Residential-4 located at 4845 Silverdene Street.

A-53-15 – 7/13/15

Decision: Approved.

WHEREAS, Ashkan, Taraneh, Sayed, and Cynthia Hosseini, property owners, request 1.5' corner lot width variance from the regulations set forth in Section 2.2.1 of the Unified Development Ordinance to allow a two lot subdivision that results in a 58.5' wide corner lot for a .21 acre property zoned Residential-10 and located at 1201 E. Lane Street.

A-54-15 – 7/13/15

Decision: Approved.

WHEREAS, Tuscany Construction Group, Inc., property owners, request a 10.2' rear yard patio setback variance from the regulations set forth in Section 1.5.4.D.1.f. resulting in a patio that extends 18.2' into the 30' rear yard setback on a .33 acre lot zoned residential 4 and located at 2500 Shadow Hills Court.

A-55-15 – 7/13/15

Decision: Hearing held open to the Board's August 10, 2015 meeting to give Applicant opportunity to submit a proposal for a development plan including a tree conservation plan.

WHEREAS, Brier Creek Country Club, LLC, property owners, request a 55' variance from the Perimeter Buffer regulations set forth in Section 9.1.10.C. of the Unified Development Ordinance to allow for the removal of trees in order to construct two full-sized tennis courts, resulting in a 10' wide Perimeter Buffer along a roadway on a 32.09 acre property zoned Thoroughfare Conditional Use District and located at 10513 Arnold Palmer Drive.

A-56-15 – 7/13/15

Decision: Approved.

WHEREAS, Paul and Jane Davis, property owners, request an 11.8' rear yard setback variance to allow for a rear addition and rear deck, a 12.1 rear yard setback variance to legalize the existing dwelling and a 1.9' side yard setback variance to legalize an existing deck. These requests are for relief from the regulations set forth in Section 2.2.1 and Section 1.5.4.D.1.f. of the Unified Development Ordinance and if approved would result in a 18.2' rear yard setback for the proposed rear addition and deck and would legalize the existing 17.9' rear yard setback for the detached house and the existing 4.1' side yard setback for the deck on a .53 acre property zoned Residential-4 and Neighborhood Conservation Overlay District located at 903 Runnymede Road.

A-57-15 – 7/13/15

Decision: Withdrawn by Applicant.

WHEREAS, Country Day Montessori, LLC, property owners, request a Special Use to allow a Day Care Center with 25 enrollees pursuant to Section 6.4.1.C of the Unified Development Ordinance on a property zoned Residential-10 and Special Residential Parking Overlay District located at 1203 Kent Road.

A-59-15 – 7/13/15

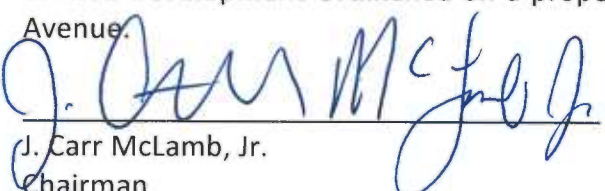
Decision: Approved.

WHEREAS, John and Creecy Andrews, property owners, request a 1.6' side yard setback variance and a 4.3' side yard setback variance from the regulations set for in Section 2.2.1 of the Unified Development Ordinance to both legalize and expand the detached house resulting in a 5.7' side yard setback on a .26 acre property zoned Residential-4 and located at 815-4 Marlowe Road.

A-60-15 – 7/13/15

Decision: Approved.

WHEREAS, Unitarian Universalist Fellowship of Raleigh, property owner, requests a special use permit to allow a Special Care Facility with 25 enrollees pursuant to Section 6.2.3.D. of the Unified Development Ordinance on a property zoned Residential-4 and located at 3313 Wade Avenue.


J. Carr McLamb, Jr.
Chairman

7/30/15
Date